

01-22-02

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UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)*(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
31140BTotal Pages in this Submission
48**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

PREVENTION OF OVARIAN CANCER BY ADMINISTRATION OF A VITAMIN D COMPOUND

and invented by:

GUSTAVO C. RODRIGUEZ and REGINA SALAS WHITAKERIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 09/479,837

Which is a:

☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 08/873,010 issued
as US Patent No. 6,034,074

Which is a:

☐ **Continuation** ☐ **Divisional** ☒ **Continuation-in-part (CIP)** of prior application No.: 08/713,834 issued
as US Patent No. 6,028,064

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 29 pages and including the following:
- a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications *(if applicable)*
 - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
 - d. ☐ Reference to Microfiche Appendix *(if applicable)*
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings *(if drawings filed)*
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☐ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing

☐ First Class ☒ Express Mail (Specify Label No.): EL395644338US

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted: _____
17. ☒ Additional Enclosures (please identify below):

Copy of Assignment as filed in parent application serial no. 08/873,010
Copy of Verified Statement (Declaration) Claiming Small Entity Status - Small Business Concern as
filed in parent application serial no. 09/479,837

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

- ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	30	- 20 =	10	x \$9.00	\$90.00
Indep. Claims	3	- 3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$460.00

- ☒ A check in the amount of \$460.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 18-1942 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: January 18, 2002


Signature

Raymond N. Nimrod, Reg. No. 31,987
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Suite 1000
Chicago, Illinois 60604
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Facsimile: (312) 408-0865

CC: Gustavo C. Rodriguez

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Gustavo C. Rodriguez and Regina Salas Whitaker**

Docket No.

31140B

Serial No.

To be assigned

Filing Date

January 18, 2002

Examiner

To be assigned

Group Art Unit

1614

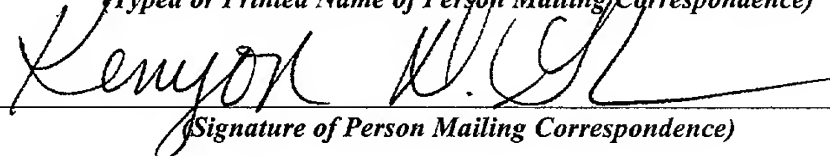
Invention:

PREVENTION OF OVARIAN CANCER BY ADMINISTRATION OF A VITAMIN D COMPOUND

I hereby certify that the following correspondence:

Utility Patent Application Transmittal (Small Entity) and accompanying document; Preliminary Amendment, Check in the amount of \$460.00; acknowledgement postcard*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

January 18, 2002*(Date)***KENYON D. GLOVER***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL395644338US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number: EL395644338US

Date of deposit: January 18, 2002

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"Express Mail Post Office to Addressee" service under 37 CFR 1.10, with postage prepaid, on the date indicated above and is addressed to: Assistant Commissioner For Patents, Washington, DC 20231 on January 18, 2002

KENYON D. GLOVER

(typed or printed name of person mailing
paper or fee)

Kenyon D. Glover

(signature of person mailing paper or fee)

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